

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

UNITED STATES OF AMERICA)

v.)

ERIC E. RESTEINER,)
Defendant)

2005 FEB 14 P 1:06

CRIMINAL NO. 04-10082-NG
DISTRICT OF MASS.

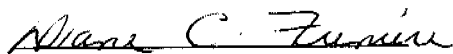
JOINT MOTION TO EXCLUDE TIME

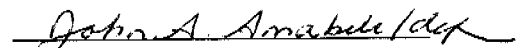
The parties jointly ask the Court to exclude the time from December 7, 2004 through the date of the final status conference, December 15, 2004, under 18 U.S.C. § 3161(h)(8)(A), because the ends of justice served by allowing time for the defendant to further review the discovery material and to determine what pre-trial motions to file outweigh the defendant's and the public's interest in a speedy trial. The final status conference in this case was initially scheduled for December 7, 2004, but was rescheduled to December 15, 2004 due to a death in the defense counsel's family. A proposed order to exclude time is attached hereto.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:


Diane C. Freniere
Assistant U.S. Attorney


John A. Amabile, Esquire
Counsel for Defendant

Dated: February 14, 2005